

U. S. BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF VIRGINIA

ABINDON CALENDAR - AUGUST 21, 2002

(The Honorable William F. Stone, Jr. Presiding)

(Start: _____ Recess: _____ ♦ Resume: _____ Stop: _____ ♦ Trials: _____ Proceedings _____)

Attys: Debtors: Case Nos.: Trustees:

9:30 A. M. - PRE-TRIAL CONFERENCES

Timoney	LACY & PHYLLIS HANCOCK-ch13 A/P 7-02-00039: Det. Liens Debtors v. Commercial Credit Corp. () & Frank H. Darlington Trustee, <i>added as party on 6/10</i> ()	7-02-00515	Widener/JM
---------	---	------------	------------

-ORDER of 8/15 - cancels hearing?

Beck	ANTAEUS TECHNICAL SERVICES-ch7 A/P 7-02-00028: <u>Motion to reconsider order of 7/22 dismissing complaint w/prejudice</u> Robert T. Copeland, Trustee (Esposito) v. Ngoc Tran (Eric Reeher)	7-99-02114	Copeland
------	---	------------	----------

A/P 7-02-00029: Motion to reconsider order of 7/22 dismissing complaint w/prejudice
Robert T. Copeland, Trustee (Esposito) v. VBS Investments PTY Ltd (Goldstein)
and VBS PTY Limited (Goldstein)

Copeland	JOHNNIE BELCHER-ch7 A/P 7-02-00086: Object to or Revoke Discharge Yonda Belcher Jones (G.Matney) v debtor	7-02-02177	Wick/LM
----------	---	------------	---------

Motion to Dismiss/Counterclaim filed 7/22

Lamie	RICKY & BEVERLY LESTER-ch13 Motion #1: Relief filed 7/31; d/e # 11, 12 GMAC (Eason) v. debtors & trustee <i>-agreed order is circulating / per ltr of movant's counsel (8/12)</i>	7-02-02793	Widener/MC-PR
-------	--	------------	---------------

10:00 A. M. - MISCELLANEOUS HEARINGS

Carmody HERBERT & LORINE ROBERTS-ch7 7-02-01436 Wick/SO
A/P 7-02-00061: Det. Dischargeability; contd fr 7/23; w/consent of parties
Debtors v. Va.Dept of Taxation ()

—hearing held by telephone conf. Conducted 8/16 @ 2:00 p.m.

Carmody JERRY & ELSIE JACKSON-chl3 7-97-00851 Widener/VS
Motion of Debtors to Showcause for Contempt: Violation of Stay: Commonwealth
of Va. Dept of Taxation - filed 3/14, d/e # 135; contd from 4/10 for ntc to counsel for
Va.Dept of Taxation (Becky Miner) contd from 6/5 & 7/23

—hearing held by telephone conf. Conducted 8/16 @ 2:00 p.m.

Hutchinson STEPHEN HALSEY-ch7 7-00-03425 Wick/SL
Motion #1: Relief - filed 7/8, d/e # 28; amended by d/e # 31 on 7/15*
Wachovia Bank (Mason) v. debtor & trustee
*—originally set at Rke 7/29 in error; amended ntc set hearing beyond 30-days from
7/8 filing date but was not accompanied by Ord to cont §362 stay -*

Fleenor ROBERT, JR. & ZINA MITCHELL - Ch. 7 7-02-02204 Wick/JM
Motion # 1: Avoid lien [d/e # 14]
Debtors v. Tico Credit () & Trustee

Motion # 2: Avoid lien [d/e # 15]
Debtors v. Washington Mutual Finance () & Trustee

Price RONNIE & JUDY BLEVINS - Ch. 7 7-02-02475 Callahan/SL
Motion # 1: Relief filed 7/23 [d/e # 10]
Bank of New York (C.Patterson/F.Harman) v. Debtors & Trustee

10:00 A. M. - MISCELLANEOUS HEARINGS

Farthing	HENRY RATCLIFFE-ch7 Motion #1: relief - filed 7/19; d/e # 14, 15, 16 Chase Manhattan Mortgage Corp (Sasser) v. debtor & trustee — <i>movant certification filed 7/25; d/e # 19</i>	76-02-02770	Wick/NS
Gifford	JACQUELYN LEMIEUX-ch7 Motion #4: Relief - filed 7/29; d/e # 83 First Va. Bank, assignee of Consumers Autonet (Chappell/Hathaway) v. debtor & trustee	7-99-02040	Wick/JM
Carmody	WILLIAM & MARGARET ENLOW - Ch. 7 Trustee's Motion for Approval of a Settlement of \$5,000 to be paid by Irwin & Leighton to Trustee to settle claim by Debtors and Counter-Claim by Irwin & Leighton [d/e # 68]	7-01-02022	Callahan/SJ
Copeland	TERRY'S, INC. - Ch. 7 Trustee's Motion for Compensation in the amount of \$17,483.81 fees and \$780.64 expenses and Attorney for Trustee fees—\$3,475.00 and \$110.87 expenses	7-98-00781	Wick/VS

11:00 A. M. - MISCELLANEOUS HEARINGS

Jessee	LEROY M. HULL COMPANY, INC. - Ch. 7 A/P 7-01-00169: <i>Mot for Summ.Jdgt of defendant*filed w/Memorandum & Affidavit</i> Debtor v. E. J. Smith Group, Inc. (Kerstein) — <i>*note: trial scheduled 10/15 @ 2:30</i>	7-01-03786	Wick/SO
	A/P 7-01-00171: <i>Mot for Summ.Jdgt of defendant* filed w/Memorandum & Affidavit</i> Debtor v. Kubota Tractor Corp . (Kerstein) — <i>*note: trial scheduled 10/15 @ 2:30</i>		

11:00 A. M. - MISCELLANEOUS HEARINGS

Copeland	BEAR RIDGE MINING, INC. - Ch. 11	7-00-00708	DIP/AF
	Motion for Compensation & Reimbursement of Expenses of Thomas Scott & Russell Presley, II & Street, Street, Street, Scott & Bowman as special counsel for Debtor in the amount of \$22,190.50 fees & \$4,259.74 expenses [#161]		

Arkema	WOODTECH, INC - chl1	7-02-02451	DIP/VS
	Motion #1: Relief or Adequate Protection or Compel Assumption/Rejection of Lease Caterpillar Financial Services (Jones) v. debtor [d/e ## 35, 36, 37, 38]		

Copeland	GEORGE PATTON - Ch. 11	7-02-01131	DIP/VS
	Motion # 3: Relief filed 7/31 [d/e # 57] Deere & Co. (Kepley) v. Debtor		

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Largen	SHARON WILLIAMS-ch13	7-02-01219	Widener/VS
	Mod Plan filed 6/20; d/e # 19, 20		

Via	WALLACE & LINDA WILLIAMS-ch13	7-02-01363	Widener/MC-PR
	Mod Plan filed 7/10; d/e # 23, 24 Trustee's Report, Objection and Show Cause on Dismissal/Conversion [d/e # 30]		

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Carmody MAURICE & GENEVA WALTERS-chl3 7-02-00265 Widener/SL
Mod Plan filed 7/10, d/e # 76, 77, 78

Motion #1: relief - filed 3/6; d/e # 22, 23
New Peoples Bank (Hutton) v. debtors & trustee
Answer filed 3/14, d/e # 25
—contd fr 4/23 & 6/19 & 7/23

Largen MARK HARDING-chl3 7-02-00037 Widener/NS
Mod Plan filed 8/14; set on 10/1 at 1:00
Objection: Highlands Union Bank (Hutton) [d/e # 33]
The First Bank and Trust Co. (Hutton) [d/e # 32]
Trustee Show Cause on Dismissal/Conversion [d/e # 21] *contd fr 7/3 to hear w/mod plan*
Trustee OBJECTION; showcause: dismiss/convert, filed 8/14; d/e # 34

Largen MICHAEL & MARGARET SOBEY-chl3 7-02-00891 Widener/VS
Mod Plan filed 6/20; d/e # 18, 19
ObjectinL IRS (Eckert) filed 8/12; d/e # 23

Hutchinson JOHNATHAN & TARA LOWE 7-02-00026 Widener/JJ
Mod Plan filed 6/20; d/e #46, 47
OBJECTION of Trustee and showcause: convert or dismiss filed 7/24; d/e #50

Note: hrg scheduled 9/4 @ 2:00 re: determine validity of affidavit of breach re conditional relief order entered 6/6 in Mot. #1 (ABN AMRO Mortgage Group)

1:00 P. M. - CHAPTER 13 CONFIRMATIONS

Gifford MARVIN & PAMELA CAIN-chl3 7-02-00486 Widener/JJ
Mod Plan filed 5/21, d/e # 29, 30, contd from 6/19
Obj: Homeside Lending fka BankcBoston , filed 5/24 d/e # 38; (Patterson/Harman)

Motion of Trustee: Convert-dismiss; contd from 5/7 and 6/19 to hear w/mod plan

Slavin MICHELE DEMETRIADES- 7-02-01191 Widener/VS
Mod Plan filed 6/3, d/e # 18
-**Case Dismissed 7/24 without prejudice***

*** **Motion to Rehear Dismissal Order filed 7/31** [d/e # 41]
Objections: Trustee [d/e # 42] & First Va. Bank (Hathaway) [d/e # 46]
Response: Palmer W. Fant, M.D. (Esposito) to Mot. And OBJ. to Confirmation

Motion #1: Relief [d/e # 23] - *contd fr 8/7 to hear w/Mot to Recons.Dismissal of case*
First Va. Bank-Southwest (Hathaway/John Martin) v. Debtor & Trustee

Motion #2: Relief from Co-Debtor's Stay [d/e # 25]
- *contd fr 8/7 to hear w/Mot to Recons.Dismissal of case*
First Va. Bank-Southwest (Hathaway/John Martin) v. Debtor, Peter S. Demetriades, Co-Debtor, and Trustee - contd from 7/3

1:30 P.M. - MISCELLANEOUS HEARINGS

Lamie BOBBY & TERRY' HOLLAND-chl3 7-02-02189 Widener/AF
Motion #5: Relief - filed 7/24; 1120 & 11-22 Lexington Av, Dayton OH property
Liberty Lending Services, Inc (Bryant) v. debtors & trustee
-**Agreed Order granting relief from stay 8/12** [d/e # 39]

Motion #6: Relief - filed 7/24; d/e # 34, 36
Flagstar Bank (Bryant) v. debtors & trustee
-**Agreed Order granting relief from stay 8/12** [d/e # 40]

1:30 P.M. - MISCELLANEOUS HEARINGS

Timoney	JUDY HAYWOOD - Ch. 13	7-01-03603	Widener/PR
	Motion # 5: Relief and Co-Debtor Relief [d/e # 64]		
	Bank of America Mortgage (Sasser) v. Debtor & Wm. Martin Haywood, Jr., Co-Debtor & Trustee		
	<u>Response</u> filed by Debtor [d/e # 66]		

Fleenor	RUFUS & BETTY MURRAY - Ch. 13	7-01-04667	Widener/NS
	Debtor's Motion to Use Insurance Proceeds [d/e # 48]		
	Objection: Trustee [d/e # 52]		

2:00 P.M. - MISCELLANEOUS HEARINGS

Carmody	LEATTA SLONE-ch13	7-01-05251	Widener/VS
	Motion of Trustee to convert or dismiss filed 7/25; d/e # 34		

Hutchinson	RICHARD & TAMMY ALDEN-ch13	7-01-03278	Widener/AF
	Motion of Trustee to convert or dismiss filed 7/25; d/e # 30		

Largen	JUANITA OWENS-ch13	7-00-01967	Widener/NS
	Motion of Trustee to convert or dismiss filed 7/25; d/e # 18		

2:00 P.M. - MISCELLANEOUS HEARINGS

Gifford	ROY & SHELIA HILL - Ch. 13 Trustee's Motion to Dismiss or Convert to Ch. 7 [d/e # 145]	7-96-00888	Widener/AF
Pro Se	RICKY HAMPTON - Ch. 13 Trustee's Motion to Dismiss with Prejudice [d/e # 12]+	7-02-02857	Widener/NS
Lamie	RAYMOND & BARBARA DAWSON- Ord for debtors to appear and showcause why Order of Discharge should not be Rescinded as result of clerical error and this case be dismissed (filing fees not paid) — <i>contd from</i> 7/23; cont'd by show cause order 7/26 [d/e # 45] — Filing Fee Paid; 7/24; d/e #44; \$130.00	7-98-00610	Widener/VS
Gifford	KENNETH & DEBORAH HANCOCK - Ch.7 Motion #2: Relief – filed 5/7 [d/e #31]; <i>*amended mot filed 7/11 adding ch 7 tr (Wick)</i> First Union Nat'l Bank Delaware (Wood) v. Debtors RESPONSE filed by Debtors 5/8 [d/e #34]; respondents certif. Filed 5/14 [#36] —contd fr 6/5 & 7/23 ; case converted to ch 7 on 6/21 *;	7-02-00629	Wick/SJ
Timoney	PATRICIA WILSON-ch13 Motion #3: Relief from stay & <u>co-debtor stay</u> - filed 5/14; d/e # 33, Contd fr 6/5 DaimlerChrysler Services No.America LLC(Higgs) v. Debtor and Timothy Wilson, co-debtor ()and Trustee <u>Response of Debtor filed 5/17, d/e # 41 - contd from 7/3</u> — <i>contd fr 7/23 (3 mo.pmts by tr. Not showing on creditor records)</i> — ORDER of 8/8 withdrew motion, cancels hearing	7-00-04051	Widener/VS

2:00 P.M. - MISCELLANEOUS HEARINGS

Dickey	HEATH & MISTY SNOW-ch13	7-00-01956	Widener/JJ
	Motion #2: Relief - filed 5/8; d/e # 34, 35, 36		
	Vanderbilt Mortgage and Finance (Higgs) v. debtors & trustee		
	<i>-response of debtors filed 5/16; d/e# 37</i>		
	<i>-notice of further hearing filed 7/19; d/e # 40 (consent order not forthcoming)</i>		
Timoney	JOY BILELLO-Ch13	7-01-03375	Widener/SL
	Objection (Second) of Debtor to Notice of Default in Motion #1(d/e#25): filed by		
	Vanderbilt Mortgage & Finance Inc (Higgs) filed 8/2, d/e # 50		
Harman	GEORGE & BARBARA HELMANDOLLAR - 13	7-02-02488	Widener/AF
	Motion # 1: Relief from Co-Debtor Stay filed 7/22		
	General Motors Acceptance Corp. (Eason) v. Mark Andrew Helmandollar, co-debtor &		
	Trustee		
	<i>—note : conf of plan & obj of GMAC is set for 9/4 @ 1</i>		
	Motion #2: Relief - filed 7/26; d/e # 21, 24		
	GMAC (Eason) v. Debtors & Trustee		
	RESPONSE filed by Debtors [d/e # 27]		
Hutchinson	RANDALL & RHONDA BALL - Ch. 13	7-00-03043	Widener/PR
	Debtors' Motion to use Insurance Proceeds to pay out their Ch. 13 Plan [d/e # 26]		
	Debtors' Motion to Shorten Notice Requirement [d/e # 27] (<i>Counsel sending</i>		
	<i>Proposed Order</i>)		

2:30 P. M. - MISCELLANEOUS

Beck	ANTAEUS GARY PROJECT-ch7—file #4	7-00-00077	Farrell/Hutton
	Motion of Trustee to Approve Agreed Order Revoking Permit 0-20-84 and		
	Forfeiting the Associated Reclamation Bond (Kindig) , d/e # 193		
	<u>Filed with Motion to Shorten Notice , d/e # 194</u>		
	—ORDER granting Motion entered 8/8 will not be effective until 8/18/02 to permit		
	Day & Brzustowicz & any other party to file a motion for reconsideration; if no		
	motion is filed, the order will become final; if motion is filed, hearing will go		

forward 8/21